IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1328 OF 2007
IN
APPEAL (L.) NO. 174 OF 2007
IN
NOTICE OF MOTION NO.142 OF 2005
IN
SUIT NO. 53/2005 IN PETITION NO.477/2003

Mathurdas Jamnadas Paleja .. Appellant.

V/s.

1. Shri Uday Hansraj Paleja & Ors. .. Respondents.

Mr.R.M.Agarwal i/by Sean Wassoodew for the Appellant.

Ms.K.C.Nichani with Ms.N.Z.Khapre for the Respondents.

CORAM : DR. S. RADHAKRISHNAN &
SRI ANOOP V. MOHTA, JJ.

DATED : 14TH DECEMBER, 2007

P.C. :-

. Heard learned counsel for the Appellant and learned counsel for the Respondents. Perused the affidavit in support of the notice of motion as well as affidavit in reply and the affidavit in rejoinder. For the reasons stated therein, sufficient cause is made out for condoning the delay in filing the appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(ANOOP V. MOHTA, J) (DR.S.RADHAKRISHNAN,J.)